

# Exhibit 10

**EXHIBIT 10**

**DECLARATION OF MARLYNDA AUGELLI  
IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**

Marlynda Augelli, upon oath and affirmation, hereby deposes and says:

1. I make this declaration upon my personal knowledge of the facts, and I am competent to testify to the facts stated herein.
  2. I am a 59-year-old mother of four children and a resident of Mount Juliet, Tennessee.
  3. In 1974 I was 26 years old, newly married and embarking on a whole new life in a new city.
  4. I became pregnant soon after my marriage with my first child. I thought a baby would not fit into my life, career and plans at that time. I chose, along with my husband, to seek the new option of a legal abortion. We chose to wait for a better time to become parents. We decided to choose ourselves and our plans over the life growing inside of me.
  5. I found a private ob/gyn doctor whose practice included abortion. I was treated with respect and dignity and received a clean abortion with no physical complications from the procedure. What I did not receive from this kind doctor was any information about the life of the child growing inside of me or any information about the risk of physical and psychological side effects.
  6. A few years later I was pregnant again. Still I had no information on the development of the child, or the possible effects from abortion. However, I felt an inner voice say, "No, not this time!" For the next nine months I was very happy to experience
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the first moments of feeling life move in me, the hiccups, the little kicks against my belly that could be seen pushing against my skin.

7. When my perfect baby girl was born we suddenly became a family. We saw her as a wonderful gift. We did not expect that she would also be a sorrowful reminder of the child that had been buried in my memory many years before. Once I saw my new baby I also saw in my mind the other baby that never had a choice to live, laugh or cry. No one said to me.... "You killed your own child," but the face of my beautiful innocent newborn daughter was enough to prove that her life was indeed precious and not a mere "choice." It was then that I realized I had thrown away a precious child into a trash can, without a final good-bye or a tear for the life of our child that was no more.

8. Now I cried! The flood gates opened and a tidal wave of emotions with it. While rejoicing in the life of my newborn I began to grieve the death of my first little one that I would never hold in my arms. Every small miracle I witnessed as my daughter grew was another reminder of the one who never had a chance to grow. Every first word, first step, first birthday was a reminder of the baby who never even breathed his first breath. I watched my daughter grow while shedding bittersweet tears that no one ever saw.

9. A few years later a second child, a son was born. I still held my pain inside never really understanding what the root cause of the pain was. I only knew I was riddled with guilt and remorse and there was nothing I could do to stop those feelings.

10. Eventually my happy marriage came to an end. I can't say the abortion was the cause but I can say it was a major factor leading up to that divorce. The unresolved

relationship between my husband and myself beyond repair.

11. Since then I have found healing and forgiveness, but it has taken many, many years, and I vowed that I would become a voice for my child who had no voice. Since then I have told people what I was not told about the devastating aftermath of my "choice."

12. I wish that I could have heard a counselor on the sidewalk before I walked into my doctor's office. If I had heard the risks beforehand, I could have made an educated decision and I would not have aborted my child. If I had been told the truth before making my decision thirty five years ago, my firstborn would be 35 years old today. My life and the life of my family would have taken a very different direction.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 14th day of January, 2008.

  
Marlynda Angelli